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ATTORNEYS FOR PLAINTIFF

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION**

JONATHAN C. KALTWASSER,
 on behalf of himself and all others
 similarly situated,

Plaintiff,

v.

AT&T MOBILITY, LLC f/k/a
 CINGULAR WIRELESS LLC,

Defendant.

CASE NO.: 5:07-cv-00411-JF

**STIPULATION AND ~~[PROPOSED]~~
 ORDER REGARDING PAGE LIMIT FOR
 PLAINTIFF'S RESPONSE TO
 DEFENDANT'S RENEWED MOTION TO
 COMPEL ARBITRATION AND STAY
 LITIGATION AND MOTION TO STRIKE
 CLASS ALLEGATIONS**

Judge: Honorable Jeremy Fogel
 Date: September 9, 2011
 Time: 9:00am
 Courtroom: 3

1 WHEREAS, on July 13, 2011, Defendant filed a Renewed Motion to Compel Arbitration and
2 Stay Litigation and a Motion to Strike Class Allegations (collectively "Defendant's Motions");

3 WHEREAS, Local Rule 7-4 provides Plaintiff twenty-five (25) pages for each memorandum
4 responding to Defendant's Motions, and provides Defendant fifteen (15) pages for each reply
5 memorandum;

6 WHEREAS, Plaintiff's responses to Defendant's Renewed Motion to Compel Arbitration and
7 Stay Litigation and to Defendant's Motion to Strike Class Allegations present many of the same
8 background and legal arguments in each, making much of the two responses duplicative;

9 WHEREAS, pursuant to Local Rule 7.4(b), Plaintiff hereby moves the Court for permission
10 to file a single brief not to exceed forty (40) pages instead of filing two separate twenty-five (25)
11 page briefs.

12 WHEREAS, Defendant stipulates to this request and reserves its right to file two separate
13 reply briefs of fifteen (15) pages each as provided by the Local Rule 7-4.

14 **THEREFORE, IT IS HEREBY STIPULATED** that Plaintiff shall have up to forty (40)
15 pages to file a combined opposition to Defendant's Renewed Motion to Compel Arbitration and Stay
16 Litigation and Defendant's Motion to Strike Class Allegations.

17
18
19 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

20
21 Dated: August ¹⁷, 2011



Honorable Jeremy Fogel

The Parties respectfully request that this Court enter this Stipulation.

Dated: August 8, 2011

AGREED TO BY:

**STEMBER FEINSTEIN DOYLE
& PAYNE, LLC**

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